

Medical Certification for Disability Exceptions

INSTRUCTIONS FOR FORM N-648 MEDICAL CERTIFICATION FOR DISABILITY EXCEPTIONS

What is the purpose of this form?

The laws governing naturalization of immigrants require that applicants for naturalization demonstrate:

- knowledge of the English language (including an ability to read, write and speak words in ordinary usage in the English language); and
- knowledge and understanding of the fundamentals of the history, and of the principles and form of government, of the United States.

To implement this law, INS requires applicants to demonstrate an ability to read, write and speak basic English and to answer basic questions about the history and government of the United States (civics).

The individual asking you to complete this form is seeking a waiver of the English and/or civics requirements based on a physical or developmental disability or mental impairment. The applicant will submit this certification form to INS, which will then determine if the applicant is eligible for a waiver.

Who is authorized to complete this form?

The applicant, or applicant's authorized representative, must complete and sign Part I of the form.

A licensed medical doctor, doctor of osteopathy, or licensed clinical psychologist (hereinafter "medical professional") must complete Part II of the form. An employee under the direct supervision of a medical professional may fill in the form based on information directly provided by the treating medical professional. However, the medical professional must sign the form.

What information is required for an applicant to be eligible for a waiver?

The medical professional completing this form must provide an accurate assessment of the applicant's impairment(s) so that the INS can determine whether to grant the waiver. The medical professional must provide:

- a clinical diagnosis and description of the applicant's impairment(s) and any applicable DSM-IV codes for each mental impairment (Part II. 2);
- an explanation of the connection between the impairment(s) and the applicant's inability to learn and/or demonstrate knowledge of English and/or civics (Part II. 3); and
- a professional certified opinion whether the applicant is unable to learn and/or demonstrate knowledge of English and/or civics (Part II. 4 and 5).

If the medical professional does not provide all the required information, INS cannot grant the waiver unless the applicant submits a revised or second form with the appropriate information.

What experience must a medical professional completing the form have?

The INS requires that the medical professional completing the form have general experience in the area of the applicant's disability, and be qualified to diagnose the applicant's disability and/or impairments.

A doctor who is a general practitioner and not a specialist may complete the form if his/her experience or other qualifications permit him/her to make a disability assessment.

What if the medical professional needs additional space to furnish the required information?

The medical professional must use the available space on the form to type or print the required information clearly in black ink. If extra space is needed to answer any item, the medical professional may attach additional sheet(s) of paper. On each additional sheet include the name and alien registration number (A#) of the applicant, the Part II item number to which the attachment refers, and the complete name of the medical professional.

The medical professional may also submit additional medical reports. On each such report include the name and alien registration number (A#) of the applicant and the complete name of the medical professional. However, a supplemental report is not acceptable as a substitute for any of the responses required in Part II of the form.

What are acceptable responses to Part II. 2(a) and 3?

Part II. 2(a) requires the medical professional to provide a clinical diagnosis and description of the applicant's impairment(s). Part II. 3 requires the medical professional to provide **detailed** information on the connection between the impairment(s) and the applicant's inability to learn and/or demonstrate knowledge of English and/or U.S. history and civics. Examples of insufficient and sufficient responses include:

Example 1:

Insufficient Response:

Part II. 2(a)- The patient is a 75-year-old female who has hypertension and heart disease. She has suffered at least 2 heart attacks, one in 1996, and in 1997. Last year, she had a cerebral vascular accident (i.e. stroke) with paralysis on the left side.

Part II. 3- She is unable to learn English and basic U.S. history and civics. (*Note: The medical practitioner failed to articulate how any of the conditions listed affect, for example, the patient's memory, ability to learn new tasks, ability to concentrate, or ability to perform basic mental activities. The medical practitioner therefore failed to show that the applicant's condition has so impaired her functioning that she is unable to learn or demonstrate knowledge of English and/or U.S. history or civics.*)

Sufficient Response:

Part II. 2(a)- The patient is a 75-year-old female who has hypertension and heart disease. She has suffered at least 2 heart attacks, one in 1996 and another in 1997. Last year, she had a cerebral vascular accident (i.e., stroke) with paralysis on the left side. The patient's stroke has left her with severe and irreversible neurological damage.

Part II. 3- Because of the widespread damage to the brain tissue, the patient has suffered markedly decreased cerebral function and is incapable of remembering, articulating, or learning. *(Note: The medical professional identified the diagnosis and explained the effect the condition has on the applicant's ability to learn.)*

Example 2:

Insufficient Response:

Part II. 2(a)- The patient suffers from Down's Syndrome.

Part II. 3- He should be exempted from the English language and U.S. civics requirements. *(Note: The certifying medical professional failed to explain how the condition affects the applicant's ability to learn, and to give an ultimate opinion on whether the condition diagnosed prevents the applicant from learning or demonstrating knowledge of English and/or civics.)*

Sufficient Response:

Part II. 2(a)- The patient suffers from Down's Syndrome, which is a global impairment that affects the patient's cognition, language and motor skills.

Part II. 3- Because of the patient's global impairment, he cannot learn new skills and is not capable of reasoning. His memory is deficient, and he is only capable of performing simple daily activities. *(Note: The medical professional described the mental impairment and explained how the condition affects the applicant's ability to learn.)*

What if the applicant needs assistance in taking the English or Civics test?

In accordance with the Rehabilitation Act of 1973, the INS makes reasonable modifications and/or accommodations to allow individuals with disabilities to participate in the English and civics testing required for naturalization. Reasonable modifications and/or accommodations may include but are not limited to: sign language interpreters, extended time for testing or off-site testing.

If reasonable modifications and/or accommodations will enable an applicant to demonstrate knowledge of basic English and civics, he or she is not eligible for a waiver or those requirements, and this medical certification form should not be submitted. (An applicant who needs a reasonable accommodation to take the tests should contact his/her local INS District Office in advance of the scheduled interview.)

What are the penalties for making false statements on the form?

Both the applicant and medical professional are required to complete and sign the form under penalty of perjury. The applicant and the medical professional must declare all statements contained in response to questions on this form to be true and correct.

Title 18, United States Code, Section 1546, provides in pertinent part:

Whoever knowingly makes under oath, or as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such applicant, affidavit, or other document containing any such false statement - shall be fined in accordance with this title or imprisoned not more than ten years or both.

If either the applicant or the medical professional includes in this form any material information that the party knows to be false, the applicant and/or medical professional may be liable for criminal prosecution under the laws of the United States.

The knowing placement of false information on the application may subject the applicant and/or medical professional to criminal penalties under Title 18 of the United States Code and to civil penalties under Section 274C of the Immigration and Nationality Act, 8 U.S.C. 1324c.

Privacy Act Notice

Authority for the collection of the information requested on this form is contained in 8 U.S.C. 1182(a)(15), 1183A, 1184(a), and 1258. INS will use the information principally to support an individual's application for naturalization. Submission of the information is voluntary. However, failure to provide the necessary information may result in the denial of a request for a waiver of the English language and U.S. history and civics requirement in the applicant's naturalization application. INS may also, as a matter of routine use, disclose the information contained on this form to other federal, state, local and foreign law enforcement and regulatory agencies.

Reporting Burden

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate and easily understood, and that impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex. Accordingly, the reporting burden for this collection of information is computed as follows: 1) learning about the form, 30 minutes; 2) completing the form, 60 minutes; and 3) assembling and filing the application, 30 minutes, and an estimated average of 120 minutes per response.

If you have any comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Immigration and Naturalization Service, HQPDI, 425 1 Street, N.W., Room 4034, Washington, DC 20536, OMB No. 1115-0071. **DO NOT MAIL YOUR COMPLETED APPLICATION TO THIS ADDRESS.**

Medical Certification for Disability Exceptions

Part I. THIS SECTION TO BE COMPLETED BY APPLICANT (please print or type information)

Last Name	First Name	Middle Name	Alien Number
Address			Social Security Number
City		State	ZIP Code
Telephone Number		Date of Birth	Gender

I, _____, authorize _____
(Applicant's Name) (Licensed medical doctor, doctor of osteopathy, or clinical psychologist)

to release all relevant physical and mental health information related to my medical status to the INS for the purpose of applying for an exception from the English language and U.S. civics testing requirements for naturalization. I certify under penalty of perjury, pursuant to Title 28 U.S.C. Section 1746, that the information on the form and any evidence submitted with it are all true and correct. I am aware that the knowing placement of false information on the Form N-648 and related documents may also subject me to civil penalties under 8 U.S.C. 1324c.

Signature _____ Date _____

Part II. THIS SECTION TO BE COMPLETED BY A LICENSED MEDICAL DOCTOR, DOCTOR OF OSTEOPATHY, OR LICENSED CLINICAL PSYCHOLOGIST (see Instructions)

Purpose of this Form: The individual named above is applying to become a United States citizen. Applicants for naturalization are required to learn and/or demonstrate knowledge of the English language, including an ability to read, write, and speak words in ordinary usage in the English language, as well as knowledge and understanding of the fundamentals of the history, and of the principles and form of government of the United States. Individuals who are unable, because of a disability, to learn and/or demonstrate this required knowledge may apply for a waiver. The purpose of this form is to help determine whether your patient is eligible for this waiver.

Definition of Disability: An individual is eligible for this waiver if he or she is **unable** to learn and/or demonstrate knowledge of English and/or U.S. history and civics because of a physical or mental impairment (or combination of impairments). These impairments must result from anatomical, physiological, or psychological abnormalities, which can be shown by medically acceptable clinical and laboratory diagnostic techniques. The impairment(s) must result in functioning so impaired as to render an individual **unable** to demonstrate the **required** knowledge.

NOTE: This **definition of disability** is **different** from the definition used by the Social Security Administration, Department of Veterans Affairs, or worker's compensation programs. If your responses do not address the applicant's disability for the purposes of naturalization, we will require the applicant to submit a revised or second form with the appropriate information.

*Provide **all** of the following required information, using common terminology that a person without medical training can understand, with no abbreviations. Type or print clearly. Illegible and incomplete forms will be returned. If you need additional space to provide your answers, attach additional pages.*

NATURE AND DURATION OF IMPAIRMENT(S)

1. (a) Based on your examination of the applicant, the applicant's symptoms, previous medical records, clinical findings, or tests, does the applicant have any impairment(s) that affect his or her ability to learn and/or demonstrate knowledge?
☐ Yes ☐ No **Note:** If you answer "No", applicant is ineligible for a waiver; please continue with Part II. 6.
- (b) Has the applicant's impairment(s) lasted or do you expect it to last 12 months or longer?
☐ Yes ☐ No **Note:** If you answer "No", applicant is ineligible for a waiver; please continue with Part II. 6.
- (c) Is the applicant's impairment(s) the direct effect of the illegal use of drugs?
☐ Yes ☐ No **Note:** If you answer "Yes", applicant is ineligible for a waiver; please continue with Part II. 6.

Applicant Name

Alien Registration Number

A-

DIAGNOSIS OF IMPAIRMENT(S)

2. (a) Provide your clinical diagnosis of the applicant's impairment(s) **and** describe the impairment(s) in terms a person without medical training can understand (*see Instructions for examples*).

(b) Provide the relevant DSM-IV code(s) for each mental impairment that you described above. If a DSM-IV code does not exist, write "N/A."

CONNECTION BETWEEN IMPAIRMENT(S) AND INABILITY TO LEARN/DEMONSTRATE KNOWLEDGE

The law requires that applicants for citizenship demonstrate (1) an understanding of the English language, including the **ability** to read, and speak simple words and phrases in ordinary usage; and (2) a knowledge and understanding of the fundamentals of U.S. history and civics. An applicant's **difficulty** in fulfilling the requirements is not sufficient to support a waiver. In addition, **illiteracy** in the applicant's native language is **not** sufficient, by itself, to support a finding of inability to learn and/or demonstrate knowledge.

3. Based on your examination of the applicant, provide **detailed** information on the connection between the impairment(s) and the applicant's inability to learn and/or demonstrate knowledge of English and/or U.S. history and civics (*see Instructions for examples*).

Note: *This description should address the severity of the effects of the impairment(s) including the specific limitations that affect the applicant's ability to learn and/or demonstrate knowledge.*

Applicant Name	Alien Registration Number A-
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PROFESSIONAL CERTIFIED OPINION

The law requires that in order to be eligible for the disability exception, the applicant must be **unable** to fulfill the requirements for English proficiency and/or knowledge of U.S. history and civics. An applicant's **difficulty** in fulfilling the requirements is not sufficient to support a waiver. In addition, **illiteracy** in the applicant's native language is **not** sufficient, by itself, to support a finding of inability to learn and/or demonstrate knowledge.

4. English Requirement

(a) In your professional opinion, has the impairment(s) described above affected the applicant's functioning to such a degree that he or she **is unable** to learn and/or demonstrate an ability to speak, read, or write English?

☐ Yes ☐ No

(b) If **Yes**, which of the following is the applicant unable to learn and/or demonstrate? (*Check all that apply*)

☐ Speaking ☐ Reading ☐ Writing

5. U.S. History and Civics Requirement

In your professional opinion, has the impairment(s) described above affected the applicant's functioning to such a degree that he or she is **unable** to learn and/or demonstrate knowledge of U.S. history and civics, even in a language the applicant understands?

☐ Yes ☐ No

BACKGROUND INFORMATION

6. Date of your most recent examination of the applicant (mm/dd/yyyy), _____

7. Is this your first examination of the individual?

☐ Yes If *Yes*, from whom does the applicant usually receive medical care (i.e., name of doctor/clinic; if the applicant does not have an ongoing source of medical care, please write "N/A")

☐ No If *No*, for how long and for what conditions have you been treating the applicant? (If the conditions are the same as in Part II. 2, specify the length of time and write "Conditions -- Same as Part II. 2")

8. What is the nature of your medical practice? (e.g., family/general practice, internal medicine, psychiatry, cardiology)

I certify, under penalty of perjury under the laws of the United States of America, that the information on the form and any evidence submitted with it are all true and correct. Upon consent of the applicant, I agree to release this applicant's relevant medical records upon request from the U.S. Immigration and Naturalization Service. I am aware that the knowing placement of false information on the Form N-648 and related documents may also subject me to criminal penalties under Title 18, U.S.C. 1546 and civil penalties under 8 U.S.C. Section 1324c.

Signature _____ **Date** _____

Type or print the following information:

Last Name	First Name	Middle Name
Business Address	City, State, ZIP Code	Telephone
License Number	Licensing State	